FINDINGS OF FACT AND CONCLUSIONS OF LAW

.

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owner of the subject property, Lawrence E. Noble, and the Contract Purchaser, Robert A. Nicholson, Jr. The Petitioners request relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front lot width of 52.06 feet in lieu of the required 55 feet and a side yard setback of 16 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petition-

Appearing and testifying on behalf of the Petition was Robe t Nicholson, Jr., Contract Purchaser of the subject property. Appearing as Protestants in the matter were four residents of the surrounding community, including Terri Grimes, the adjoining property owner, who testified in opposition to the relief requested.

er's Exhibit 1.

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Testimony indicated that the subject property, known as 855 Oakleigh Beach Avenue, consists of 6,937.5 sq.ft., zoned D.R. 5.5, and is presently unimproved. Said property is located within the Chesapeake Bay Critical Areas near School House Cove. The Petitioners are desirous of developing the property with a single family dwelling in accordance with Petitioner's Exhibit 1. Testimony revealed that Mr. Nicholson owns Comprehensive Construction Company and is in the business of building individual

homes on unimproved building lots. Mr. Micholson has entered into a contract to buy the subject property and is desirous of constructing a single family dwelling which will be offered for sale. However, due to the width of the lot, the requested variances are necessary in order to proceed with development as proposed.

As noted above, several residents of the surrounding community appeared in opposition to the Petitioner's request. Testimony presented by Terri Grimes indicated that she resides on the adjoining property, known as 901 Oakleigh Beach Avenue. Ms. Grimes testified that she purchased her property from Mr. Noble in April 1993. Testimony indicated that she is currently experiencing a water runoff problem on her property and is concerned that the proposed development on the subject property will exacerbate this situation.

Additional testimony revealed that Ms. Grimes had an opportunity to purchase the subject property from Mr. Noble at the time she bought the property on which she now resides. However, Ms. Grimes was unable to buy the lot for financial reasons. Mr. Noble advised her at that time that he intended to construct a dwelling on the property and that the price of the lot had been adjusted accordingly. Mr. Noble is now left with a 52-foot wide, unimproved lot, which is owned by him in fee. To deny the variance requested would render this lot unbuildable and useless. It was further noted that there are many other homes in this community which are built on similar sized lots.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore

- 2-

be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in

conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; er; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

2) Conserve fish, wildlife, and plant habitat; and

for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact

practical difficulty and/or unreasonable hardship upon the Petitioner. The facts and evidence presented tend to establish that special

1) Minimize adverse impacts on water quality that

result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

3) Be consistent with established land use policies

WED FOR FLU

that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of October, 1993 that the Petition for Variance requesting relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front lot width of 52.06 feet in lieu of the required 55 feet and a side yard setback of 16 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restric-

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

> 2) Petitioner shall insure that any water runoff from the subject property will be directed away from adjoining residential properties.

> > - 4-

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their

comments dated September 24, 1993, attached hereto and made a part hereof.

huth Kotrow Deputy Zoning Commissioner

for Baltimore County

Baltimore County Government Zoning Commissioner
Office of Planning and Zonin



October 12, 1993

(410) 887-4386

Mr. Lawrence E. Noble 3821 Pulaski Highway Baltimore, Maryland

> S/S Oakleigh Beach Avenue, 20' E of the c/l of Watervale Avenue (855 Oakleigh Beach Avenue) 15th Election District - 7th Councilmanic District Lerrence E. Moble - Petitioner

Case No. 94-51-A

Suite 113 Courthouse

400 Washington Avenue Towson, MD 21204

200

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

for Beltimore County

155 Wileys Lane, Pasadone, Md.

901 Onkleigh Bouch Road, Baltimore, Md. 21222

Chosepoule May Gritical Areas Commission 45 Calvert Street, 2nd Floor, Asseptie, Md. 21401

to the Zoning Commissioner of Baltimore County for the property located at Lot 124, 855 CAKkigh Beach An

This Polition shall be filed with the Office of Zening Administration & Development Management.

The undereigned, legal owner(s) of the property situate in Baltimere County and which is described in the description and plot situated here and made a part hereof, hereby reason is a Variance from Section(s) Sect. 1802.3.C.1.— To permit a front lot width of 52.65 in lieu of the required 55' and a side yard setback of 16' in lieu of the

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or precised difficulty) Lot is currently unbuildable, and of no value since its width of 52.06 which was established in 1989 does not meet the current lot width of 55' (by 2.94 feet) and the corner setback is also unattainable by current standards.

> Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this polition, and further agree to and are to be bound by the zening regulations and restrictions of Baltimore County adopted pursuant to the Zening Law for Baltimore County.

	Who do extensity designs and affirm, under the penalties of perjuty, that then are the legal contents of the property which is the extent of this fundamen
t Purchassificaces:	Legal Consess:
eat A. Nicholson Ja	LAW PENCE E. Noble
Leut a. Nechlant	Daurence & Mobile
5 Wileys Cane	
<i>'</i>	(Type or Fine Name)
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for Publicate:	
Military .	3821 Pudanti May 675-19
	BALT. MD. 2/224
	Home, Address and phone number of legal comes, qualitat grathage or representative
	Robert A Nichelson of
Pione Ra.	
Cab Spinis	155-Vileys Care Program 255-7135
	STATE OF THE PARTY
	(Mindallo for Marks) (In Marks date)
	Marine on 1875 on 2/3/93

EXAMPLE 3 - Zoning Description

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 855 OAKIEIGH BEACH AVENUE (address) Riection District 15 Councilmenic District 7
Blection District 15 Councilmanic District 7
Beginning at a point on the South side of OAkleigh (north, south, east or west)
Black Ave which is 30 feet (number of feet of right-of way width)
wide at a distance of an feet of feet of right-or way width) (number of feet of right-or way width) (number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street WATERVALE AVENUE (name of street)
which is 40 feet of right-of-way width) wide. *Being Lot * 124,
Block, Section # in the subdivision of
OAKLEIGH BEACH as recorded in Beltimore County Plat (name of subdivision)
Book # 12 , Folio # 4 (, containing ()
(square feet and/acres) (TEM#5/

description as shown, instead state: "As recorded in Deed Liber ____, Folio ____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of motes and bounds: W.87 12' 13" E. 321.1 ft., 8.18 27' 03" 8.87.2 ft., 8.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

ITEM#51

- 5-

Destard for	Vorion	co	ness at	F/19/93
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Landing of S	- Facin	a sacd was	on from ty	V Pekkoin
Remarks:		(/) /		
Posted by	M		_	J20/93

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of __ weeks, the first publication appearing on <u>Gu4 19</u>, 19 <u>93</u>

CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN

LEGAL AD. - TOWSON

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21294

(410) 887-3353

August 25, 1993

Mr. Lawrence E. Noble 3831 Pulaski Highway Baltimore, Maryland 21224

> RE: Case No. 94-51-A, Item No. 51 Petitioner: Lawrence E. Noble, et al Petition for Variance

Dear Mr. Noble:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 3, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

B-3-93

R. A. Nicholson JR. 155 Wileys La. Pagadenia, Md. 21122

020 - VARIANCE - # 5000

01A01#0155MICHRC

Zoning Administration &

155 Wikeys La. Pasidene, Res. 21122

087 - 516N - \$ 3500 (SEN FIR UNDER SIZED LIT)

Maryland Department of Transportation

State Highway Administration

01A01#0208MICHRC

O. James Lighthizer Secretary Hai Kassoff

\$35.00

8-13-95

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towann Maryland 21204

Re: Baltimore County Item No.: \$\psi 5/(RT)\$

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-3350 if you have any questions.

Thank you for the opportunity to review this item.

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

NOTICE OF HEARING

The Soming Commissioner of Bultimore County, by authority of the Soming Act and Regulations of Bultimore County, will hold a public hearing on the property identified becain in Room 106 of the County Office Bailding, 111 W. Chempselm Avenue in Tousco, Maryland 21204

Room 118, Old Courthouse, 400 Hashington Avenue, Touson, Maryland 21204 as follows:

855 Oakleigh Beach Svenue (Lot 124) 8/8 Oakleigh Beach Avenue, 20' E of c/l Hetervale Avenue 15th Election District - 7th Councilmanic Legal Owner(s): Lawrence E. Hoble Contract Purchaser(s): Robert A. Hicholson, Jr. HEARING: THURSDAY, SEPTEMBER 9, 1993 at 11:30 a.m. in Rm. 106, County Office Building.

Variance to permit a front lot width of 52.06' in lieu of the required 55 ft. and a side yard setback of 16 ft. in lieu of the required 25 ft.

CASE NUMBER: 94-51-A (Item 51)

111 West Chesapeake Avenue

Towson, MD 21204

NOTES: (1) ZOWING SIGN & POST MUST BE RETURNED TO MM. 104, 111 W. CHEMPEARE AVENUE ON THE MEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMUNITIONS PLEASE CALL 887-3353. (3) FOR IMPORPATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

August 19, 1993 Issue - Juffernonia

155 Wileye Lene Pessine, Review 21122 410-255-7139

NOTICE OF HEARING

The Soming Commissioner of Bultimore County, by authority of the Zoming Act and Begulations of Bultimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chemspashe Svenue in Tousen, Maryland 21204

Room 118, Old Courthouse, 400 Mashington Avenue, Townen, Maryland 21204 as follows

CASE MUNICA: 94-51-A (Item 51) 855 Onkleigh Beach Avenue (Lot 124) S/S Oakleigh Beach Avenue, 20' E of c/l Matervale Avenue 15th Election District - 7th Councilmunic Legal Owner(s): Learence f. Hoble Contract Purchaser(s): Robert A. Hicholson, Jr. HEARING: THURSDAY, SEPTEMBER 9, 1993 at 11:30 a.m. in Sm. 106, County Office Smilding.

Variance to parmit a front lot width of 52.06' in lies of the required 55 ft. and a mide pard setlents of 16 ft. in lieu of the required 25 ft.

LMRENCE E. SCHEIDT ROBING CONSIDERIORS FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS AND HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR IMPORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

BALTIMORE COUNTY, MARY AND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

DATE: August 17, 1993

SUBJECT: 855 Oakleigh Beach Road

INFORMATION: Item Number:

Petitioner: Lawrence E. Noble

Property Size: Zoning:

Requested Action:

SURVARY OF RECOMMENDATIONS:

Based upon the information provided and a site visit, the following comments are

1. The side yard setbecks of 16' and 10' respectively as shown on the plan are questionable, as the 10' setback is on the side of the adjoining property owner. A greater setback is recommended for the side closest to the adjacent property.

Again, the parking pad and drive are on the side of the adjacent property owner. We recommend it be repositioned towards Watervale Avenue. In the alternative, the area immediately adjacent to the parking pad should be

Division Chief Gary L. Kless PK/JL: lw

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee

DATE: August 12, 1993

FROM: Jerry L. Pfeifer, Captain Investigative Services SUBJECT: August 23, 1993 - Meeting

> Proposed building shall comply with the 1991 Life Safety Code.

Proposed buildings shall comply with the

1991 Life Safety Code.

Building shall comply with the 1991 Life Bafety Code.

Proposed addition shall comply with the 1991 Life Bafety Code.

No comments.

JLP/da1 cc: | ile

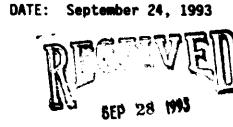
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BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Mr. Arnold E. Jablon, Director Office of Zoning Administration and Development Management

J. James Dieter

SUBJECT: Petition for Zoning Variance - Item 51 Noble Property Chesapeake Bay Critical Area Findings



7193-93

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

: Case No. 94-51-A

People's Counsel for Baltimore County

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-

Peter Max Zimmerman

Carole S. Demilio

(410) 887-2188

a copy of the foregoing Entry of Appearance was mailed to Lawrence E.

A. Nicholson, Jr., 155 Wileys Lane, Pasadena, MD 21122, Contract

Noble, 3821 Pulaski Hwy., Baltimore, MD 21224, Legal Owner; and Robert

Deputy People's Counsel

Towson, Maryland 21204

Room 47, Courthouse

I HEREBY CERTIFY that on this 20th day of August, 1993,

400 Washington Avenue

captioned matter. Notices should be sent of any hearing dates or other

proceedings in this matter and of the passage of any preliminary or

SITE LOCATION

The subject property is located at 855 Oakleigh Beach Avenue. Lot 124. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. Lawrence E. Noble

APPLICANT PROPOSAL

E O

The applicant has requested a variance from section 1802.3.C.1 of the Baltimore County Zoning Regulations to permit "a front lot width of 52.06" feet in lieu of the required 55 feet and a side yard set back of 16 feet in lieu of the required 25 feet".

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

RE: PETITION FOR VARIANCE S/S Oakleigh Beach Ave., 20' E

of C/L Watervale Ave. (855

7th Councilmanic District

ROBERT A. NICHOLSON, JR.,

LAWRENCE E. NOBLE, Legal Owner;

Oakleigh Beach Rd.),

Contract Purchaser

final Order.

15th Election District

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

- "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- 2. Conserve fish, wildlife and plant habitat; and
- Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts" <COMAR 14.15.10.01.0>.

Mr. Arnold E. Jablon September 24, 1993

REGULATIONS AND FINDINGS

Regulation: "A minimum 100 foot buffer shall be established andward from the mean high water line of tidal waters. tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

<u>Finding:</u> This proposed deck is located more than 100 feet from the tidal waters of Bear Creek; therefore, no disturbance of the 100 foot buffer shall occur.

Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs* <Baltimore County Code, Section 26-447>.

<u>Finding:</u> No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no dredging, filling, or construction shall occur in any tidal or non-tidal wetland for this project, and this regulation has been met.

Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" <Baltimore County Code, Section 26-543(e)(1)>.

Findings: The total impervious area is as shown on the attached drawing (Scale 1:50) is less than the 25% limit.

Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15% < COMAR 14.15.02.04 C.(5)(e)>.

<u>Finding:</u> The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

Shrub and small tree list: 3 items - ball and burlap or 2 gallon container size

Tree list:

1 item - ball and burlap 1 - 1.5 inch caliper

ITEN#51

September 24, 1993

Mr. Arnold E. Jablon

4 4 4

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge

Finding: Stormwater runoff shall be directed from impervious surfaces associated with this plan, to pervious areas, to encourage maximum infiltration. Rooftop runoff shall be directed through downspouts and into a drywell, to encourage maximum infiltration (see attached information). These measures will ensure that the requirements of this regulation are met.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-3980.

JJD: ERG: tmm

NOBLE/DEPRM/WOCBCA

ORDER Date

INTER-OFFICE CORRESPONDENCE Director, Office of Planning and Zoning Attn: Ervin McDeniel County Courts Bldg, Rm 406 401 Bosley Av Towers, MD 21204 Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommends ions and comments from the Office of Planning & Zoning prior to this office's approval of a dualling parmit. Robert A. Nicholson 155 Wileys Care Pasadena MD2122 255-7/39 13 tot and the 184 855 OAKKING BEACH AVE Months Months 15 Consult Martin 7 Square Food 6937.5 bet beether 813 y war of Colored Williams Aut LAMBRE E. Noble 3821 RUASK; Hoy BALL MA 21224 concenses or mattenage. (to be submitted for design review by the Office of Planning and Zoning) Codes (OF & GD) (FIII) -----TO BE FILLED IN BY THE OFFICE OF FLANDING AND SOMING CIRLY.

Baltimore County Governmen Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE HADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

or newspap	r advertising			
ten No.:	51	•		
etitioner:	Robert	Nichols	m JR.	
#		us La. Po		ALC ALA

MARE: Robert A. Nichelson Jr DOORESS: 155 Wileys LANE PASADONA MD 2162 HOR HORE: 255-7139

FIME: 15:41:20

EDNTROL . RS

PAID BY: OWNER

APPLIED: 05/24/93

INSPECTOR: 15R

PF2 - APPROVALS

THE: 15:41:24

DATE: 08/09/93

PERMIT # B164387

BUILDING CODE: 2

FOUNDATION BASE

CONSTRUC FUEL SEWAGE WATER

#1 BED:

MPRV 1

JSE 05

CENTRAL AIR

200.00

STIMATED COST

RESIDENTIAL CATE 1

DWNERSHIP: 1

RREF :

CCPNCY:

PERMIT 9: 8164387

RECEIPT #: A187833

15.00

188UED: 06/11/93 COMPANY:

DATES

FAMILY BEDROOMS: PASSWORD PF2 - APPROVALS PF7 - PREV. SCREEN FF9 - SAVE PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU PANEL BP1005M /IME: 15:41:32 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 05/25/93 DATE: 08/09/93 BUILDING DETAIL 2 PL O 96 16 55 ERMIT #: B164387 BUILDING SIZE LOT SIZE AND SETBACKS FLOOR: SIZE .325 AC WIDTH: 18 FRONT STREET CARBAGE DISP DEPTH: SIDE STREET OWDER ROOMS HEIGHT: FRONT SETB N/C BATHROOMS: STORIES: SIDE SETR 641/181 KITCHENS SIDE SIR SETB LOT NOS: 122,123 REAR SETE 20 CORNER LOT: N MONING INFORMATION ASSESSMENTS DISTRICT: BLOCK: LAND 0021400.00 PETITION: IMPROVEMENTS 0064900.00 LIBER: TUTAL ASS. FOL TO CLASS: PLANNING INFORMATION HSTR PLAN AREA: PASSWORD ------ENTER - NEXT DETAIL - APPROVALS PF7 - PREV. SCREEN PF9 SAVE F1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU PANEL BF1018M AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 06/11/93 IME: 15:41:45 DATE: 08/09/93 APPROVALS DETAIL SCREEN FLR 14 49 48 ERMIT #: B164387 GENCY ~~~~~ ENVRHNT 96/11/93 91 MC/CBCA-6/11SA/WW PERMITS 06/11/93 01 DAS P 01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL" ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT CLEAR - MENU ATE: 08/09/93 TIME: 15:42:28 AS1001R STANDARD ASSESSMENT INQUIRY (1) PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL FH DATE 22 **00** 016007 3-3 04-00 15 96/26/93 GRIMES LAWRENCE J DESC-1.. IMPS.325 AC S 122-123 DESC-2.. DAKLEIGH BEALT RIMES TERRILEE 901 DAKLEIGH BEACH RD PREMISE, 00901 DAKLE ROAD S 00000 0000 PALTIMORE FCV ----FORMER OWNER NOBLES ---- PHASED IN ---PRIOR CURR 15.000 FCV ASSESS ASSESS 43,920 64,900 86,300 34,520 B6,300 PREF ... CURT... 34,520 EXEMPT. 12/87 --- TAXABLE BASIS ----3/74 A88ESS: 96/91/93 2/93 ASSESS 99/99/99 0/00 ASSESS 99/99/99 ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT AS1001C PATE: 08/09/93 FIME: 15:42:44 STANDARD ASSESSMENT INQUIRY (2) ROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL FH DATE 2 00 016007 15 3-3 04-00 H 96/26/93 BOOK ... 0012 HAP.... 0104 LOT WIDTH..... 184.12 FOLIO... 0046 GRID.... 0015 LOT DEPTH...., PARCEL.. 0231 LAND AREA.. 14139.000 B YEAR BUILT..... 00 ----TRANSFER DATA----STATUS.... MYE..... 04/20/93 CLASS CODE..... 000 WRCHASE PRICE..... 129,000 STATE EXEMPT CODE..... 900 ROUND RENT...... 9 CURR STATE EX ASMT....

AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 06/11/93

PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INGR!

AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 05/25/93

PLANS: CONST 0 PLOT 3 PLAT 0 DATA 0 EL 1 PL 2

WORK: CONSTRUCT 18X34X4 ABOVE GROUND POOL IN REAR

YARD OF SED/ SAND FILTER/ FILLED BY HOSE W/

VACUUM BREAKER/ LADDER TO BE REMOVED OR IN

UPRIGHT LOCKED POSITION WHEN NOT IN USE

POOL LETTER ATTACHED/ LMC ESSEX OFFICE

TOT BED

BOA

LICENSE # 32758

PASSWORD

DISTRICT/PRECINCT 15 21

11 45 52

#51

PANEL BE1004M

PLU 96 16 55

BLOCK

TOT APTS

GENERAL PERMIT APPLICATION DATA

NAME: GRIMES, LAWRENCE J & TERRILEE

ADDR: 901 DAKLEIGH BEACH RD, 21222

APPLICANT INFORMATION

SUBDIV: OAKLEIGH BEACH

TAX ACCOUNT #: 2200016007

NAME: TERRILEE GRIMES

BUILDING DETAIL 1

CONTR. VAN DORN POOLS

\$3BED:

PHONE #: 477/1827

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE

TENANT

ENGNR.

SELLR:

PROPOSED USE: SFD & POOL

EXISTING USE SFD

HOTES: REVISED SITE PLANS PER ENVRHNT 6/11/93 DAS

ADDR1: 901 DAKLEIGH BEACH RD

ADDR2: BALTIMORE MD 21222

DAKLEIGH BEACH RD

OWNERS INFORMATION (LAST, FIRST)

PROPERTY ADDRESS

ED-REF FOLIO...... 0644 PRIOR STATE EX ASMT... INVEYED IND..... CURR COUNTY EX ASHT... T-PART TRAN IND...... PRIOR COUNTY EX ABMT.. ANTOR ACCT NO. . 15-07-581230 NEW CONST CARD -----BTRUCTURE-----YEAR CODE 8Q. FEET TER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT AB1001D STANDARD ASSESSMENT INQUIRY (3) 1: 15:43:04 PERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL FM DATE 00 014007 15 3-3 04-00 H 06/26/93 CREATE BATE.. 05/11/93 05/13/93 GEO CODE N/A LAND-USE UPDATE NO 82 LETE CODE..... ATE DELETED 00/00/00 07 PM DATE 06/26/93

04/24/73

05/13/93

C

T PH TYPE....

STATE

TAXABLE ASSESS 4 ASSESS: 34, 3 ASSESS: 4 ASSESS:

AUG 23 1993 ZADM

Purchaser.

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 8/16/9 D (15 Days Before C) DATE POSTED HEARING REQUESTED-YES ____NO ___-DATE CLOSING DAY (LAST DAY FOR HEARING DEMAND) ______ C (B-3 Work Days) TENTATIVE DECISION DATE ______ B (A + 30 Days) *Usually within 15 days of filing

CERTIFICATE OF POSTING District _____

I would like to address safety as one of my concerns: When

my husband and I were looking for a new home, my children were a

big part of the decision. When the home we purchased in April

went on the market, I was thrilled. I grew up a few streets over

and I knew the area was a safe one to raise a family. At first,

I was concerned because there were no sidewalks and our children

would need to walk in the streets to reach their school buses and

friend's homes. They would also be riding bicycles in the

streets. We are located in an area off of 2 main arteries - Wise

Avenue and North Point Road. My home located at 901 Oakleigh

Beach Road adjacent to lot #124 was wide open so that I could see

my children walk to the school bus or ride their bikes close to

home. We checked in to the possibility of another home being

Zoning Code required 55 wide and that lot was only 52.06. The

traffic flow is sometimes heavy due to the residents already

living in the development, however another structure would

use increased traffic is a real concern.

as guickly and will sometimes freeze.

increase it even more and with no sidewalks for our children to

important next to the safety of our children. Since we have

moved into our home, we have had several heavy rainfalls. Our

property is the lowest point of all the surrounding properties.

The only sewer grate is located at the end of our driveway.

During the heavy rainfalls, it looks as if there is a stream that

runs from Meadow Avenue to Oakleigh Beach Road through our

property. All of the runoff from Lot #124 drains directly into my driveway and from there flows to the stormdrain into

Schoolhouse Cove. If you dig up the land and create more

impervious surface, there will be more water to possibly flood my

property. My basement is very damp, and has been waterproofed

with drainpipes covered with stone that drain into a sump pump.

If more water was forced onto my property, I am concerned that my

basement will be wetter. I have also been told by neighbors that

in the winter, when temperatures are low, the water does not dry

human population and decreasing natural habitats will destroy

homes for birds and squirrels and will scare away the rabbits and

We have rabbits, squirrels, birds and ducks. Increasing

Drainage is another concern for us and perhaps the most

constructed on the lot, but we were told that Baltimore County

Number of Signs:

CK/UNDER.LOT (TXTSOPH)

To, Zoning Companioner Property History for Items, Zoning Variances Property 15 gant of Recorder Sussimision
Plat Book 12 folio 46

Lots # 122; # 123, # 124 WERE ALL OWNED By LAWRENCE E. Noble

ON April 12, 1993 Mr. Wable 50/0 Lot - trze with Existing to USE 255 do journe VACANT lot 4/23 -D LAGRENCE & TEARILER GRUMES AS RECORDED IN KIGEN 9716 FOLD 644 NWD Balto Co. 255UED. TAX Acct # 22-00-010000 -6 the Grings!

I have Contracted to purchase Lot It is FROM MIC DELIE To Suild 1) New Hore & 5, New His 50621, 15,000 WAS DONE PRIOR to the Existence of the Planning Dept, I must Request VARIANCES AS CURRENT DR 5-15- REGULATIONS TO ESCENTIBLE ATTOMES - TO FILL DE

By Placent A. Nichokop dru

SOUTHEAST AREA PLAN

AREA DESCRIPTION

The Southeast Area is a densely developed portion of Baltimore County which includes a number of older, established neighborhoods. Population projections for this 21.1 square mile area indicate that the population will decrease from 64,360 in 1990 to 62,721 in 1995. The Department owns 989 acres of parkland, which translates to 15.4 acres/1000 people. Nearly 300 acres must be purchased to acheive the State suggested goal of 20 acres/1000 people. However, because of the dense nature of this area, adequate land to achieve this goal is just not available.

The Chesapeake Bay forms the eastern and southern boundary of this area. The north and northeast boundaries are formed by Back River, a 7 mile tributary to the Bay. Bear Creek is another major tributary, flowing 4.5 miles from Charlesmont Park to Fort Carroll. Smaller tributaries include Clement Cove, Peachorchard Cove, Bullneck Creek, Lynch Cove, Chink Creek. Schoolhouse Cove, Country Club Cove, Jones Creek, North Point Creek, and Shallow Creek.

All of these tributaries, and the Bay itself, have been responsible for the development of an extensive water-based recreation network. People come from all over Baltimore County, as well as from other counties and states, to use facilities located in this area. Numerous waterfront parks provide visual access to the Bay, and three public ramps allow boaters active access to the Bay and its tributaries. Bay access has also contributed to a thriving private marina business. There are about 30 marinas located along Back River and Bear Creek, and six other marinas in some of the coves and creeks mentioned above.

The Southeast Area does not include any City, State or Federal parkland. But Bethlehem Steel's Sparrows Point complex is located here. This complex comprises about 6 square miles and contains a valuable natural wetlands called Black Marsh. The corporation has preserved Black Marsh for a number of years, but may soon consider transferring ownership to the State Department of Natural Resources. Thus, some State parkland may be located in this area in the not too distant future.

Within the Southeast Area, the Department has acquired and developed a network of waterfront parks to protect and enchance the Chesapeake Bay. Other than the Black Marsh area, there is little additional waterfront acreage available. Therefore, emphasis must be placed on making waterfront recreation lands fully accessible to the public. At the same time, the Department must strive to support the Chesapeake Bay Initiatives.

Recention Parks and Rand Preservation in Baltemon County: a Plan for the 1990's

Md My 711.558 B

We, the undersigned, are residents in the area in which a zoning variance has been requested. The date of the hearing is Thursday September 9, 1993 at 11.30 a.m. The variance is to permit a front lot width of 52.06 feet in lieu of the required 55 feet and a side yard setback of 16 feet in lieu of the required 25 feet. Although we cannot physically attend the hearing to verbally express our opposition, we are sending it in writing with a neighborhood representative. ADDRESS

	- I -
912 Cakligh Beach Rel	Janu A Flunden
914 Oakley poh pol (Hamit & Phillips
916 Oakleigh Beach Rd	Diver Crum
913 Oakleigh Beach Rd	Sally Rosenberger
913 Dakleigh Beach Rd C 913 CARLAGE BOOK RY	Gold to Ventagen.
917 A Cakleigh Beach Rd	Paricia & Baker
919 84 11 11	Robort wasa
919 BOAKLEIGH BEFOR	alla Parle
917-BOAKLIFFBCIF Rd.	Samuel for Kongrand.
915-A Oakleigh Boh Rd	Carol Williams
909 OAKLEIGH BCL RD	James Salle
818 CAKLBICH BONNIA	multy from
702 CAKLEIFA BOACH Rd	El Redwift
711 CAKLEIGH BEACH Pel	J. Krobe S.
707 OAKLEIGHBOOKH Rd	Vogna F. Spilmsh
707 A Oakleigh Beach Kol	Norman F Spile JE
107A Dakleigh Beach Rd	od Cliver Sah
- 703 Oakloig Beach ?	Horrano Darka
DOLOAKLEIGH BOOCK	Gallkiont.
8192 MIDHAURN PS.	Chall and g

Jane Com

78 wise Are.

1715 Water Vole AUC.

Director of Department of Permits and Licenses

On April 12, 1993, my husbant and I settled on our home located at 901 Oakleigh Beach Road, Baltimore,

The original property was comprised of three lots, numbered 122, 123, and 124. There was a minor subdivision when we purchased lots 122 and 123 containing the house and driveway. Lot 124 was separated and still for sale.

Recently I was made aware that the property was purchased and a new home was to be constructed. Since I have lived in my home, we have noticed that the surrounding areas seem to drain onto our property and flow to a sewer drain located at the end of our driveway. I am concerned that if a new home were to be constructed that it would cause a larger amount of water to flow onto our property. Now, there is a rather large amount of land that absorbs the water, but with a new home there would be considerably less absorption. We are also located in the Critical Bay area with limited development.

I would like you to take this into consideration if a building permit application is received for this location. Thank you for your time and effort in this matter.

Sincerely yours.

Aleret PresposedNIZ

July 26, 1993

Terri Grimes

Gene Neff

Dear Sir.

901 Oakleigh Beach Road

Baltimore, Maryland 21222

Baltimore County Building

111 W. Chesapeake Avenue

Towson, Maryland 21204

Jerri Dumes Terri Grimes

PROTESTANTS EXHIBIT NO.

I am opposed to zoning wariance case # 94-51-A for the following

There have been several applications for variouses which Sheye been denied in the past. It would be unfair to these people oif this pancel of land was approved for variance while the etcern were not. The same concerns still exist.

There are several reasons why these properties were turned Wdown. Under Article 668 of the code, woming regulations shall be designed to leasen congestion in the streets: to secure majory from fire, panic and other dangers, to promote health and the general welfare; to provide adequate light and air: to provent The overgrowding of land; to avoid undue concentration of population of transportation, water, sewerage, schools, parks and cother public requirements. According to the Southeast Area Plan. the Southeast Area is a densely developed portion of bullimore County which includes a number of older, established neighborhoods. Under general recommendations, to project the Chesapeake Bay and copport the Critical Area Program, greater emphasis needs to be placed on land preservation for the them summer we found that our area is considered a (fritical Hey Area, When we applied for a permit to put an above ground pool up, we had to give up part of a paved driveway to create enough impervious surface for our property. If there is not enough ssurface to absorb rainwater now, now can you consider constructing another building which would cover a large amount of land. We also learned while digging for our pool that the ground Was filled in with Pot Ash from Sparrows Point. This does not settle on the ground, it flows in the are like police. We had to Cover the larea with top soil to prevent it from blowing in the

The neighborhood is very old and stable. It is a quiet neighborhood and we want to preserve it. According to the state. and county laws for zoning and planning, they are set up to help des do dust that. Our community was recorded in Baltimore County on August 24: 1939 according to our community plat recycled at Towson. At that time the lots were 50. That was over 50 years agosand times change for the better of the people and the Community: In 1970 the zoning for our area was changed from the to 55 . We have a petition signed by the immediate neighbors that are against the zoning variance.

선물 물로를 돌아올랐다면 그는 항상으로 모르게 하다		
NAME:	ADDRESS	
Cobert A. Nicholson	155 Wiley's CAME PASABANA	A > 2//2 >

PROTESTANT (S) SIGN-IN SHEET

NAME	ADORESS
Elizabeth A Shorb	929 OHlegh Reach Ro
Mary Phian	931 Ochleich Heach Rd
$S_{ij}(S_{ij})$	- 93, Oulley, Buy R.
Ilm Oranza	901 Cakleigh Beach Rd

Sylve Sylvery	MOI LUCKIETH DEACH NA

